

701: Legal Advice and Consultation

- A. Ombudsmen shall have access to adequate legal counsel to support LTCOP activities.
- B. IDoA shall assure:
 - 1. the provision of adequate legal counsel without conflict of interest to all designated LTCO to provide needed legal services, including:
 - a. advice and consultation and services needed to protect the health, safety, welfare, and rights of residents and assistance to the SLTCOP and LTCO in the performance of their official duties; and
 - b. representation and services in an actual or threatened legal action against any LTCO and the SLTCO brought in connection with the performance of their official duties.
 - 2. the Office pursues administrative, legal, and other appropriate remedies on behalf of residents.
- C. A Regional LTCOP or LTCO may contact either the Older Americans Act funded legal services provider or the Office directly to seek legal advice or consultation regarding issues, problems or complaints raised by or on behalf of residents. The request for advice or consultation may be made to the Office by telephone or submitted in writing.
- D. The Office will respond, in writing or telephone, to the request within five (5) working days by:
 - 1. providing the requested legal advice or consultation to the Regional LTCOP;

2. requesting additional information from the Regional LTCOP;
 3. providing an update to the Regional LTCOP on the progress in obtaining the necessary information and an anticipated time frame for providing the requested legal advice or consultation; or
 4. indicating to the Regional LTCOP that the request submitted is inappropriate and why the Office will take no further action.
- E. For the Office to obtain advice and consultation, the SLTCOP may:
1. confer with the Legal Service Developer;
 2. contact the IDoA General Counsel first for guidance on IDoA policy or procedure or other matters for which that office has primary responsibility including requesting assistance from the State of Illinois Office of the Attorney General by following IDoA procedures for such requests.